

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**Caption in Compliance with D.N.J. LBR 9004-1(b)**

777475

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Attorneys for WILMINGTON SAVINGS FUND SOCIETY, FSB,  
D/B/A CHRISTIANA TRUST, NOT INDIVIDUALLY BUT AS  
TRUSTEE FOR PRETIUM MORTGAGE ACQUISITION  
TRUST

In Re:

ERIC J. JACKSON



**Order Filed on May 24, 2017 by  
Clerk, U.S. Bankruptcy Court -  
District of New Jersey**

Case No: 16-21691 - SLM

Judge: STACEY L. MEISEL

Recommended Local Form:



Followed



Modified

**ORDER RESOLVING MOTION TO VACATE STAY AND/OR MOTION TO DISMISS WITH CONDITIONS**

The relief set forth on the following pages, numbered two (2) and three (3) is hereby **ORDERED**.

**DATED: May 24, 2017**

*Stacey L. Meisel*  
 Honorable Stacey L. Meisel  
 United States Bankruptcy Judge

Applicant: WILMINGTON SAVINGS FUND SOCIETY, FSB, D/B/A CHRISTIANA TRUST, NOT INDIVIDUALLY BUT AS TRUSTEE FOR PRETIUM MORTGAGE ACQUISITION TRUST

Applicant's Counsel: Phelan Hallinan Diamond & Jones, PC

Debtor's Counsel: SCOTT E. TANNE, Esquire

Property Involved ("Collateral"): 8 VIEWMONT TERRACE, MONTVILLE, NJ 07045-9431

Relief sought: ☒ Motion for relief from the automatic stay

☐ Motion to dismiss

☐ Motion for prospective relief to prevent imposition of automatic stay against the collateral by debtor's future bankruptcy filings

For good cause shown, it is **ORDERED** that Applicant's Motion(s) is (are) resolved, subject to the following conditions:

1. Status of post-petition arrearages:

☒ The Debtor is overdue for 10 months, from 07/01/2016 to 04/01/2017.

☒ The Debtor is overdue for 10 payments at \$2,976.08 per month.

☐ The Debtor is assessed for \_\_\_\_\_ late charges at \$ \_\_\_\_\_ per month.

☐ Applicant acknowledges receipt of funds in the amount of \$ \_\_\_\_\_ received after the motion was filed.

Total Arrearages Due \$29,760.80.

2. Debtor must cure all post-petition arrearages, as follows:

☒ Immediate payment shall be made in the amount of \$12,000.00 Payment shall be made no later than 05/08/2017.

☒ Beginning on 05/01/2017, regular monthly mortgage payments shall continue to be made.

☐ Beginning on \_\_\_\_\_, additional monthly cure payments shall be made in the amount of \$ \_\_\_\_\_ for \_\_\_\_\_ months.

☒ The amount of \$17,760.80 shall be capitalized in the debtor's Chapter 13 plan. The debtor's monthly payment to the Chapter 13 Trustee is to be modified accordingly.

3. Payments to the Secured Creditor shall be made to the following address(es):

☒ Immediate payment:

SELENE FINANCE LP

9990 RICHMOND AVENUE  
SUITE 400 SOUTH  
HOUSTON, TX 77042-4546

☒ Regular Monthly payment:

SELENE FINANCE LP

9990 RICHMOND AVENUE  
SUITE 400 SOUTH  
HOUSTON, TX 77042-4546

☐ Monthly cure payment:

4. In the event of Default:

☒ Should the Debtors fail to make any of the above captioned payments, or if any regular monthly mortgage payment commencing after the cure of the post petition delinquency is more than thirty (30) days late, counsel shall file a Certification of Default with the Court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay

☒ In the event the Debtors converts to a Chapter 7 during the pendency of this bankruptcy case, the Debtors shall cure all arrears within ten (10) days from the date of conversion in order to bring the loan contractually current. Should the Debtors fail to bring the loan contractually current, counsel shall file a Certification of Default with the Court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay

☒ This agreed order survives any loan modification agreed to and executed during the instant bankruptcy. If any regular mortgage payment due after the execution of a loan modification is more than thirty (30) days late, counsel shall file a Certification of Default with the Court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay

5. Award of Attorneys' Fees:

☐ The Applicant is awarded attorneys fees of \$\_\_\_\_\_, and costs of \$\_\_\_\_\_.

The fees and costs are payable:

☐ Through the Chapter 13 plan. These fees/costs shall be set up as a separate claim to be paid by the Standing Trustee and shall be paid as an administrative claim.

☐ to the Secured Creditor within \_\_\_\_\_ days.

☐ Attorneys' fees are not awarded.

6. This Agreed Order survives any loan modification agreed to and executed during the instant bankruptcy.